

the executive branch of the Government in order to accept employment by the Senate Committee on Appropriations, he shall be carried on the rolls of such committee and shall be solely employed by such committee, and responsible only to it; but he shall be entitled upon making application to the Director of the Office of Personnel Management within thirty days after the termination of his employment by such committee (unless such employment is terminated for cause) to be restored to a position in the same or any other department or agency where an opening exists, comparable to the position which, according to the records of the department or agency which he left to accept employment by the Senate Committee on Appropriations or in the judgment of the Director of the Office of Personnel Management, such person would be occupying if he had remained in the employ of such department or agency during the time he was employed by such committee; and such person shall be restored to such position with the same seniority, status, and pay as if he had remained in the employ of the department or agency which he left, during such time. This section shall not be construed to require any person to be restored to a position in any department or agency after the expiration of the time for which he was appointed to the position which he left to accept employment by such committee.

(June 13, 1945, ch. 189, §1, 59 Stat. 243; July 1, 1946, ch. 530, 60 Stat. 392; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3783.)

#### AMENDMENTS

1946—Act July 1, 1946, reenacted section without change.

#### TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” substituted in text for “Civil Service Commission” pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of Title 5, Government Organization and Employees, which transferred functions vested by statute in United States Civil Service Commission and Chairman thereof to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1–102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

### § 68. Payments from Senate contingent fund

No payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee on Rules and Administration of the Senate. Payments made upon vouchers or abstracts of disbursements of salaries approved by said Committee shall be deemed, held, and taken, and are declared to be conclusive upon all the departments and officers of the Government: *Provided*, That no payment shall be made from said contingent fund as additional salary or compensation to any officer or employee of the Senate.

(Oct. 2, 1888, ch. 1069, 25 Stat. 546; Aug. 2, 1946, ch. 753, §102, 60 Stat. 814; Pub. L. 93–554, title I, Dec. 27, 1974, 88 Stat. 1776; Pub. L. 104–186, title I, §105(c), Aug. 20, 1996, 110 Stat. 1722.)

#### CODIFICATION

Section is based on provisions of last par. on 25 Stat. 546, act of Oct. 2, 1888, ch. 1069, relating to payments

from contingent fund of Senate. Provisions of that par. relating to payments from contingent fund of House of Representatives were classified to section 95 of this title prior to being struck out by Pub. L. 104–186.

#### AMENDMENTS

1974—Pub. L. 93–554 inserted provision relating to applicability to payments made upon abstracts of disbursements of salaries.

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee to Audit and Control Contingent Expenses”.

#### EFFECTIVE DATE OF 1974 AMENDMENT

Title I of Pub. L. 93–554 provided that the amendment made by Pub. L. 93–554 is effective Jan. 1, 1975.

#### EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that the amendment made by that act is effective Jan. 2, 1947.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 288m, 601 of this title.

### § 68–1. Committee on Rules and Administration; designation of employees to approve vouchers for payments from Senate contingent fund

The Committee on Rules and Administration may authorize its chairman to designate any employee or employees of such Committee to approve in his behalf, all vouchers making payments from the contingent fund of the Senate, such approval to be deemed and held to be approval by the Committee on Rules and Administration for all intents and purposes.

(Pub. L. 93–145, Nov. 1, 1973, 87 Stat. 529; Pub. L. 97–51, §126, Oct. 1, 1981, 95 Stat. 965; Pub. L. 98–473, title I, §123A(c), Oct. 12, 1984, 98 Stat. 1970.)

#### AMENDMENTS

1984—Pub. L. 98–473 substituted “any employee or employees of such Committee” for “the committee Auditor and the committee Assistant Auditor”.

1981—Pub. L. 97–51 substituted “the committee Auditor and the committee Assistant Auditor” for “one committee employee”.

### § 68–2. Appropriations for contingent expenses of Senate; restrictions

Appropriations made for contingent expenses of the Senate shall not be used for the payment of personal services except upon the express and specific authorization of the Senate in whose behalf such services are rendered. Nor shall such appropriations be used for any expenses not intimately and directly connected with the routine legislative business of the Senate, and the General Accounting Office shall apply the provisions of this section in the settlement of the accounts of expenditures from said appropriations incurred for services or materials.

(Feb. 14, 1902, ch. 17, 32 Stat. 26; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24; Pub. L. 104–186, title II, §204(45), Aug. 20, 1996, 110 Stat. 1737.)

#### CODIFICATION

Section is based on provisions of proviso on 32 Stat. 26, act of Feb. 14, 1902, ch. 17, the Urgent Deficiency Appropriation Act for the fiscal year 1902, as those provi-